

EXHIBIT M



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Michael Tankersley
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May 15, 2025

By Email: Derin.Dickerson@alston.com, JShorter@glpclaw.com

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Re: FTC v. Grand Canyon Education, Inc., et al., D. Ariz. No. 2:23-cv-02711, Protected Documents Log

Counsel:

I am writing concerning the five documents in the FTC's log itemizing protected material that are communications to outside counsel for EducationDynamics (FTCvGCE-FTC000082, FTCvGCE-FTC000085, FTCvGCE-FTC016321, FTCvGCE-FTC016354, FTCvGCE-FTC016355). The FTC is no longer asserting work product protection for these five documents. The documents, however, are not being produced because they are not relevant to a claim or defense at issue in this action. As reflected in the log, the communication addresses concerns of FTC staff regarding a CID response. EducationDynamic's response to the FTC's CID has been produced in response to Grand Canyon Education, Inc.'s Request for Production 20.

Also be advised that the FTC maintains that the communications with consumers listed in the log as FTCvGCE-FTC015745, FTCvGCE-FTC016833, FTCvGCE-FTC017096, FTCvGCE-FTC017481, and FTCvGCE-FTC017483, are not relevant to the factual disputes in this action because the issues raised by the consumers did not concern nonprofit representations, doctoral programs that require a dissertation, or telemarketing calls to numbers on do-not-call lists. *See* FTC Response to Grand Canyon Education, Inc.'s Requests for Production Nos. 3, 4 and 5. The emails and identities of the recipients are also protected by the work product doctrine for reasons

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stated in the FTC's objections to Defendants' Requests for Production and letter accompanying the log of protected material.

Sincerely,

/s/Michael E. Tankersley

Michael E. Tankersley

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